



# CITY OF MEMPHIS

## COUNCIL AGENDA

February 17, 2004

Public Session Tuesday, 3:30 p.m.

Council Chambers, First Floor, City Hall

125 North Main Street

Memphis, Tennessee 38103-2017

**CALL TO ORDER by the Sergeant-at-Arms**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CALL OF ROLL by the Comptroller**

**APPROVAL OF PREVIOUS MEETING MINUTES (February 3, 2004)**

## CONSENT AGENDA

### GENERAL ORDINANCE - FIRST READING (none)

### GENERAL ORDINANCE - SECOND READING

1. **ORDINANCE** to amend Chapter 16, Article II, Code of Ordinances, City of Memphis, so as to retain the same annual fee amount for Calendar Year 2002 Emissions, up for S E C O N D reading.

Chumney

Ordinance No. 5041

ACTION REQUESTED: Adopt the ordinance on Second reading

### ZONING ORDINANCE - FIRST READING

2. **ORDINANCE** rezoning the east side of Elvis Presley Blvd., +/-309.5 feet south of Timothy Drive, containing 0.28 acre(12,197 sq. ft.) in the Single Family Residential (R-S10) District, up for F I R S T reading.

Peete

Ordinance No. 5043

Case No. Z 03-131

Applicant: Michael Miller  
Timothy Willis – Representative

Request: Neighborhood Commercial (C-N) District

LUCB recommendation: APPROVAL, of the Neighborhood Commercial (C-N) District

OPD recommendation: REJECTION

ACTION REQUESTED: Adopt the ordinance on First reading

### ZONING ORDINANCES- SECOND READING

3. **ORDINANCE** rezoning the southeast side of Summer Avenue; +197 feet south of Shelby Oaks Drive, containing 7.92 acres in the Agricultural (AG) & Agricultural Flood Plain (AG{FP}) Districts, up for S E C O N D reading.

Peete

Ordinance No. 5039

Case No. Z 03-130

Applicant: William H. Thomas, Jr.

ETI Corporation – Representative

Request: Light Industrial (I-L) & Light Industrial Flood Plain (I-L{FP}) Districts

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

4. **ORDINANCE** rezoning the west side of Billy Maher Road; +300 feet south of Egypt Central Road, containing 36.85 acres in the Single Family Residential (R-S10) & Agricultural (AG) Districts, up for S E C O N D reading.

Peete

Ordinance No. 5040

Case No. Z 03-132

Applicant: Durelle Sharpe  
The Bray-Davis Firm – Representative

Request: Single Family Residential (R-S8) District

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Adopt the ordinance on Second reading

5. **ORDINANCE** rezoning the west side of Hickory Hill Rd.; ±247 feet south of Advantage Cove, containing 33.656 acres in the Single Family Residential (R-S6) District, up for S E C O N D reading.

Peete

Ordinance No. 5042

Case No. Z 03-126

Applicant: City of Memphis/Shelby County for the Chickasaw Basin Authority  
Homer Branan – Representative

Request: Heavy Industrial (I-H) District

LUCB and OPD recommendation: Rezone to the Light Industrial (I-L) District

ACTION REQUESTED: Adopt the ordinance on Second reading

**ENGINEERING**

6. **RESOLUTION** approving final plat of ECHLES STREET P.D.

Case No. PD 03-331

Resolution approves the final plat located on the west side of Echles Street, 200.1 feet north of Douglas Avenue. Cost of the required improvement to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

7. **RESOLUTION** approving final plat of EDGEWOOD PARK PLACE P.D.

Case No. PD 03-345

Resolution approves the final plat located on the southwest corner of Union Avenue and East Parkway South. Cost of the required improvements to be borne by the Developer.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

8. **RESOLUTION** accepting LAMAR/PEARSON SUBDIVISION, and authorizing release of bond.

Case No. S 99-005

(Contract No. CR-4682)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the south side of Pearson Road, 564.25 feet west of Lamar Avenue. The standard improvement contract was approved on December 4, 2001. Resolution also authorizes the release of the performance bond in the amount of \$34,000.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

9. RESOLUTION accepting UPS OAKHAVEN HUB TRAFFIC SIGNAL, and authorizing release of bond.

(Contract No. CR-4678)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on Winchester Road, 1140± feet west of Swinnea Road. The standard improvement contract was approved on November 20, 2001. Resolution also authorizes the release of the performance bond in the amount of \$110,000.00.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

10. RESOLUTION approving final plat of FRANKLIN FARMS P.D., AREA E, PHASE 6.

Case No. PD 98-332

Contract No. CR-4854

Resolution approves the final plat located on the west side of Cobb Rd 1,053.69 feet south of Hwy 64. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract.

City Engineer recommends

ACTION REQUESTED: Adopt the resolution

11. RESOLUTION approving final plat of SUTTON PLACE EAST P.D., PHASE 1.

Case No. PD 03-340cc

Contract No. CR-4855

Resolution approves the final plat located on the south side of Pisgah Road, 2700 feet west of Pisgah Forest Road. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract. This action is subject to County approval.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution

**NOTATIONS FROM OPD** (none)

**NOTATIONS** from Land Use Control Board that the following cases were heard and recommendation made requesting a date of public hearing:

**ACTION REQUESTED:** Set a date of public hearing

**SUGGESTED DATE:**



# CITY OF MEMPHIS

## COUNCIL AGENDA

February 17, 2004

Public Session, Tuesday, 3:30p.m.  
Council Chambers, First Floor, City Hall  
125 N. Main Street  
Memphis, TN 38103-2017

### APPEARANCE CARDS FOR PUBLIC SPEAKING

### ITEMS HELD OR DROPPED FROM THE AGENDA

## REGULAR AGENDA

### PRESENTATIONS AND RECOGNITION OF VISITORS

12. RESOLUTION honoring Dick Hawley.(Held from 2/3)  
Chumney

ACTION REQUESTED: Adopt the resolution

13. RESOLUTION approving an honorary street name change for Vollintine Avenue in  
honor of Mrs. Alma Morris.  
Brown

ACTION REQUESTED: Adopt the resolution

14. RESOLUTION honoring the Beale Street Development Corporation.  
Peete

ACTION REQUESTED: Adopt the resolution

15. RESOLUTION honoring Judge James Swearengen.  
Peete

ACTION REQUESTED: Adopt the resolution

### EXECUTIVE DIVISION (none)

### FINANCE & ADMINISTRATION

16. RESOLUTION including Cordova Branch Library, located at Trinity Road, CIP Project  
Number LI002, as part of the Fiscal Year 2004 Capital Budget. The Administration  
request to appropriate funds in the amount of \$3,300,000.00 for Furniture, Fixtures, &  
Equipment (including Collections materials). Resolution also transfers \$3,173,334.00  
from Construction and \$126,666.00 from Contract Construction to Furniture, Fixtures &  
Equipment.

Holt

ACTION REQUESTED: Adopt the resolution

17. RESOLUTION including Whitehaven Community Library, located at Millbranch &  
Raines Road, CIP Project Number LI003, as part of the Fiscal Year 2004 Capital Budget.  
The Administration request to appropriate funds in the amount of \$3,300,000.00 for  
Furniture, Fixtures, & Equipment (including Collections material).

Holt

ACTION REQUESTED: Adopt the resolution

18. RESOLUTION including Randolph Branch Library Renovation, located at 3752 Given,  
CIP Project Number LI005, as part of the Fiscal Year 2004 Capital Improvement Budget.  
A bid and contingency amount of \$662,796.00 and FF&E in the amount of \$109,829.00,  
makes this total appropriation request from the City of Memphis Council a total of  
\$772,625.00.

Holt

ACTION REQUESTED: Adopt the resolution

**DIVISION OF FIRE SERVICES**

19. RESOLUTION including the Mud Island Fire Station #4, CIP Project Number FS019 in the amount of \$542,000.00, for Other Project Costs. Administration requests to appropriate \$542,000.00 for (1) pumper truck, (1) ambulance and fiber connections to the Fire Station #4 funded by G.O. for the Mud Island Fire Station #4.

Taylor

ACTION REQUESTED: Adopt the resolution

**DIVISION OF GENERAL SERVICES** (none)

**DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT**

20. RESOLUTION establishing the use of an additional award of \$28,335.00 in Social Services Block Grant (SSBG) funds that were awarded to the Division of Housing and Community Development for the purpose of providing homemaker services to eligible clients.

Ford

ACTION REQUESTED: Adopt the resolution

21. RESOLUTION authorizing the sale of a City owned vacant lot in the North Memphis Area to Charles F. Morris Sr. for the revitalization of the neighborhood. The development of this property will eliminate slum and blight and create single family housing. The property contains (Tract 1-021-116-00014) 7,492.32 square feet. The sales price is \$500.00.

Ford

Director of Housing and Community Development recommends approval

ACTION REQUESTED: Adopt the resolution

**DIVISION OF HUMAN RESOURCES** (none)

**LAW DIVISION** (none)

**DIVISION OF PARK SERVICES**

22. RESOLUTION including Sexton Community Center, CIP Project Number PK129, as part of the FY 2004 Capital Improvement Program. Resolution seeks to amend the Fiscal Year 2004 Capital Improvement Budget by transferring a design allocation of \$5,000.00. funded by G.O. Bonds General, to the Fixtures and Equipment account; A design allocation of \$17,444.00, funded by G.O. Bonds General, to the Information Systems account, and a Construction allocation of \$79,224.00, funded by G.O. Bonds General, to the Information Systems Account. Resolution also seeks to appropriate \$105,000.00, funded by G.O. Bonds General in the Fixtures and Equipment account, and \$157,668.00, funded by G.O. Bonds General, in the Information Systems Account.

McCormick

ACTION REQUESTED: Adopt the resolution

23. RESOLUTION approving an appropriation of \$138,983.00 in construction to fund a change order of the waterproofing of Liberty Bowl Memorial Stadium, Project Number PK 000, funded by G.O. Bonds General, chargeable to Fiscal year 2004 Capital Improvement Budget.

McCormick

ACTION REQUESTED: Adopt the resolution

**DIVISION OF POLICE SERVICES** (none)

**DIVISION OF PUBLIC SERVICES**

24. RESOLUTION appropriating \$1,500,000.00 in G.O. Bonds for a Construction Grant to the Memphis BioTech Foundation.
- Chumney
- ACTION REQUESTED: Adopt the resolution

**DIVISION OF PUBLIC WORKS**

25. RESOLUTION amending the FY 2004 Capital Improvement Budget by appropriating \$233,159.00 in G.O. Bonds in Street Lighting PW370.
- Hooks
- Director of Public Works recommends approval
- ACTION REQUESTED: Adopt the resolution

**GENERAL ORDINANCE -THIRD AND FINAL READING**

26. **JOINT ORDINANCE** amending the Memphis and Shelby County Office of Code Enforcement Commercial Demolition Program, up for T H I R D and F I N A L reading.(Held from 1/20;2/3)
- Peete
- Ordinance No. 5035
- ACTION REQUESTED: Take whatever action Council deems advisable

**ZONING ORDINANCE - THIRD AND FINAL READING**

27. **ORDINANCE** rezoning the north right-of-way line of McLemore Avenue and proceeding approximately three thousand (3,000) feet or half (0.5) a mile southwardly to the south right-of-way line of South Parkway East, up for T H I R D and F I N A L reading.(Held from 2/3)
- Peete
- Ordinance No. 5037  
Case No. SNC 03-802
- Applicant: John H. Freeman
- Request: Change name to "Willie Mitchell Boulevard"
- LUCB and OPD recommendation: APPROVAL, with conditions
- ACTION REQUESTED: Take whatever action Council deems advisable

**74 NOTICES MAILED ON JANUARY 23, 2004**

**DIVISION OF PLANNING & DEVELOPMENT** (none)

**PUBLIC HEARINGS**

28. RESOLUTION approving a planned development located on the west side of Pisgah Road; +2,150 feet south of Latting Road, containing 20.24 acres in the Agricultural (AG) District.
- Peete
- Case No. PD 03-365cc
- Applicant: Michael H. Patrick  
Michael J. Fahy (Prime Development Group)- Representative
- Request: A maximum of 101 residential lots
- LUCB recommendation: APPROVAL, with conditions
- OPD recommendation: REJECTION
- ACTION REQUESTED: Take whatever action Council deems advisable

**15 NOTICES MAILED ON FEBRUARY 6, 2003**

**ADJOURNMENT**